



action for the death of their son. **Id.** Plaintiffs further assert that Plaintiff Marisa Balderas Flores is the independent administrator of the estate and that she is bringing the survival claim for the personal injuries to Mendez. **Id.** Plaintiffs seek monetary relief over \$1,000,000.00. **Id.**

2. Pursuant to 28 U.S.C. § 1446(a), attached to this *Notice of Removal* are copies of all process and pleadings served upon GEO in the removed case. **Id.**

3. This Notice of Removal is timely under 28 U.S.C. § 1446(b) because the removal is filed within thirty (30) days after GEO first received a copy of a paper from which it could first be ascertained that the case is one which is or has become removable.

4. The claims asserted against GEO are a civil action in which this court has original jurisdiction under the provisions of 28 U.S.C. § 1332(a)(1) and/or (2). On information and belief, Plaintiff Mendez was a citizen of Mexico. GEO is a corporation incorporated under the laws of the State of Florida and has its principle place of business located in Florida. In their *Original Petition*, Plaintiffs have pled Paulina Mendez Zuniga and Braulio Mendez Torres are residents of Mexico and that Marisa Balderas Flores is a resident of the State of Texas. **Id.** On September 7, 2020, GEO received the papers in this case when it was served. This case is removable based on diversity of citizenship and because the amount in controversy exceeds the statutory amount set forth under 28 U.S.C. §1332(a).

5. Venue is proper in this district under 28 U.S.C. §1446(a), because Bexar County, where the removed action has been pending, is encompassed by the United States District Court for the Western District of Texas, San Antonio Division.

6. Pursuant to 28 U.S.C. § 1446(d), GEO intends to serve written notice of this removal upon all interested parties and upon the State Court, promptly after filing this *Notice of Removal*.

WHEREFORE PREMISES CONSIDERED, Defendant the GEO Group, Inc. hereby effectuates a removal of the present cause of action to this Honorable United States District Court.

Respectfully submitted,

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ATTORNEY FOR DEFENDANT

CERTIFICATE OF SERVICE

I hereby certify that on the 5<sup>th</sup> day of October, 2020, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system. I also certify that on the 5<sup>th</sup> day of October, 2020, the foregoing has been served to the following interested person by U.S. Mail:

Andrew E. Toscano Gene Toscano, Inc. 846 Culebra Road San Antonio, Texas 78201	<u>/s/</u> MARK KOSANOVICH
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